

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MARC OPPERMAN, RACHELLE KING,
CLAIRE MOSES, GENTRY HOFFMAN,
STEVE DEAN, ALICIA MEDLOCK, ALAN
BEUESHASSEN, SCOTT MEDLOCK, GREG
VARNER, JUDY LONG, GUILI BIONDI,
JASON GREEN and NIRALI
MANDAYWALA, for themselves and all
others similarly situated,

Plaintiffs,

vs.

PATH, INC., TWITTER, INC., APPLE, INC.,
FACEBOOK, INC., BELUGA, INC., YELP!
INC., BURBN, INC., INSTAGRAM, INC.,
FOURSQUARE LABS, INC., GOWALLA
INCORPORATED, FOODSPOTTING, INC.,
HIPSTER, INC., LINKEDIN
CORPORATION, ROVIO MOBILE OY,
ZEPTOLAB UK LIMITED AKA
ZEPTOLAB, CHILLINGO LTD.,
ELECTRONIC ARTS INC., and KIK
INTERACTIVE, INC.,

Defendants.

Civil Action No. 1:12-cv-00219-SS

CLASS ACTION

**DECLARATION OF MATT VAN HORN IN SUPPORT OF DEFENDANT
PATH, INC.'S MOTION TO TRANSFER VENUE**

I, Matt Van Horn, declare:

1. I have been employed by Path, Inc. ("Path") since September 2010, and my current title is Vice President of Business. I make the following declaration of my own personal knowledge and will completely testify thereto if called upon to do so.

2. Path's sole office is located at 301 Howard Street, Suite 2200, San Francisco, California.

3. Path has fewer than 50 employees, all of whom are based at Path's headquarters in San Francisco.

4. All documents and information concerning the design, development and operation of Path's application are maintained at its San Francisco headquarters. All data held by Path is managed by employees based at Path's San Francisco headquarters.

5. Path is currently involved in litigation pending in the U.S. District Court for the Northern District of California, regarding the alleged uploading of user contacts, *Hernandez v. Path, Inc.*, Case No. 12-cv-01515-YGR. That case was filed against Path on March 26, 2012.

6. Path has no employees in the Western District of Texas and maintains no documents or data in the Western District of Texas.

7. I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed at San Francisco, California on September 14, 2012.

By: 
Matt Van Horn

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record who have consented to electronic notification. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to all non-CM/ECF participants.

/s/ Michael H. Page

Michael H. Page